

NORTHERN NEVADA ADULT MENTAL HEALTH
POLICY AND PROCEDURE DIRECTIVE

SUBJECT: CONSCIOUS CONFLICTS

NUMBER: NN-HR-12

ORIGINAL DATE: 06/08/95

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REVIEW/REVISE DATES: 11/19/98, 06/03/99, 10/02/03, 03/01/07, 2/18/10

APPROVAL: Rosalynne Reynolds {s}, Agency Director

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## I. PURPOSE

The purpose of this policy is to establish a mechanism to address a staff member's request not to participate in an aspect of consumer care services provided through the Northern Nevada Adult Mental Health Services (NNAMHS), including treatment, because of a perceived conflict with the staff member's personal values, culture, ethics and/or religious beliefs.

## II. POLICY

It is the policy of NNAMHS that in no instance will the mission will be compromised and in no instance will a consumer's care and/or treatment be negatively affected if the request is granted. It must be realized that for reasons of staffing limitations, it may not be possible to grant a request. Employees may request a transfer to a department or position in which conflict of care issues are less likely to occur. Northern Nevada Adult Mental Health Services as a State of Nevada mental health facility has no conscious objection to honoring a consumer's properly executed Advance Directive. However, staff members may consciously object, due to religious, moral, cultural, ethical or any other reasons, to honoring a consumer's Advance Directive. If this is the case, pursuant to NRS 449.628, a staff who cannot honor

and/or treat the consumer shall take all reasonable steps as promptly as practicable to transfer care to another health care facility or clinical staff who is willing to provide the needed care.

### III. PROCEDURE

It is understood that situations may arise in which the prescribed course of treatment or care for a consumer may be in conflict with personal values, ethics or religious beliefs of a staff member. In such situations, it is the responsibility of the employee to immediately notify his/her supervisor or department head of the specific aspects of care from which he/she is requesting to be excused and the effective dates of the request.

1. The requesting staff is responsible for providing appropriate consumer care until alternative arrangements can be made. Refusal to provide care will result in disciplinary action. In no circumstances will a request be granted if it is felt that doing so will compromise consumer care.
2. The Supervisor reviews the request and takes action to approve or deny the request.
  - A. Criteria to use for decision making include:
    - how will consumer care benefit
    - how will consumer care be hindered
    - is this a personal, cultural, ethical and/or religious conflict
    - what other alternatives can be used to have the staff member continue to care for the consumer while respecting the staff member's view
  - B. Decide the specific manner in which care and/or treatment will be delivered to the consumer
  - C. Consult with Human Resources (Personnel) to ensure there would

be no conflict with labor laws or Nevada Administrative Code.

- D. The supervisor forwards the staff member's request as well as supervisory action to the Department Head for review and action.
- E. The Supervisor may offer temporary reassignment of the staff with the understanding that this is only a temporary measure until the final decision is made by the Medical Staff Executive Committee.

3. The Department Head forwards all requests for accommodations in the delivery of consumer care as a result of an employee's personal values, culture, ethics and/or religious beliefs to the Medical Director. All requests will be forwarded to the Medical Staff Executive Committee for review. Based on the information presented, the Medical Staff Executive Committee will make a determination on the justification of the request. The determination of the Medical Staff Executive Committee is final. State of Nevada Grievance Policy does not apply to conflict of care issues.

4. NNAMHS will attempt to make reasonable accommodations for all justified employee requests for exclusion from patient care or treatment resulting from a conflict with the staff member's personal, culture, values, ethics and/or religious beliefs.